

**DATE:** Wednesday June 5, 2019

**TIME:** 7:00 p.m.

**PLACE:** Township Municipal Office, 7404 Wellington Road 34, Puslinch

**FILE:** Public Meeting for Proposed Property Standards By-law

**MEMBERS:** Mayor James Seeley - Chair  
Councillor Matthew Bulmer  
Councillor Ken Roth  
Councillor Jessica Goyda  
Councillor John Sepulis

The Chair called the meeting to order at 7:00 p.m.

**Presentations:**

Karen Landry, CAO/Clerk provided the following overview:

- Purpose of the Public Meeting
  - The purpose of the public meeting is obtain feedback on the proposed draft by-law
  - Please note the proposed by-law was drafted to include several provisions to garner input on the range of standards to be included in the Township's By-law
- Background
  - The Residential Tenancies Act, 2006 was amended and as of July 1, 2018 the Township is responsible for enforcing residential rental maintenance standards.
  - The Township can enforce provisions through a property standards by-law that covers interior and exterior of residential rental units.
  - For consistency, staff recommend incorporating interior property standards provisions into a comprehensive property standards by-law for ease of utilizing the same enforcement practices and procedures
  - The Township's current property standards by-law was passed in 1974 with amendments in 1989 and 1999.
  - The by-law requires updating as the latest amendment was made 20 years ago
  - The Township receives approximately 17 complaints per annum
- Overview of Standards – Exterior – Proposed By-law
  - Exterior Property Areas are to be kept in a neat and tidy condition which includes among other things: waste, excessive growth of weeds and grass and derelict vehicles, stagnant water and firewood
  - Drainage
    - maintained to prevent excessive or recurrent ponding of storm water
  - Sewage discharged into an approved sewage system
  - Maintenance of:
    - buildings and structures including fences and retaining walls
    - catch basins, swales and ditches
    - waste receptacles, lighting standards and fixtures
    - Lighting standards and fixtures
    - Recreational and laundry facilities
    - Walkways, driveways, ramps, parking areas and landings

- Buildings and accessory buildings including sustaining safely of its own weight and any additional load to which it may normally be subjected to
- Compost:
  - Shall be maintained in a composter or an open compost pile that is not larger than 2 square metres and 1 metre in height
- Overview of Standards Interior – Proposed By-law
  - Heating – Every building containing an occupied dwelling unit or habitable room shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius between the 15<sup>th</sup> day of September to the 1<sup>st</sup> day of June of the following year
  - Interior Lighting – maintained so that work or operations normally carried out in an area, or the use of the area, can be undertaken in safety and to provide safe passage
  - Ventilation – sufficient so as to prevent accumulation of heat, dust, vapours, odours, carbon monoxide and other gases
  - Plumbing – a dwelling unit shall be provided with an adequate supply of potable running water
  - Plumbing – A washbasin, bathtub or shower, and one kitchen sink in a dwelling unit shall be equipped with an adequate supply of hot and cold running water
  - Kitchen standards as outlined in Section 21 of the draft By-law
  - Bathroom standards as outlined in Section 22 of the draft By-law
  - Floors to be maintained so as to be free from an unsafe condition
  - Approved Electrical System for a dwelling or dwelling unit
- Standards General – Proposed By-law
  - Maintenance of:
    - Foundations
    - Walls, Columns and Beams
    - Doors, Windows, Canopies, Awnings
    - Stairs, Verandas, Porches, Decks, Loading Docks, Balconies and Fire Escapes
    - Roofs and Roof Structures
- Vacant Property and Vacant Buildings – Proposed By-law
  - Vacant Property – shall be kept clear of all waste and other materials and equipment not otherwise permitted by the zoning by-law
  - Vacant Building – shall be secured against unauthorized entry, have liability insurance and be protected against the risk of fire, accident, or other danger
- Township's Current Property Standards By-law Provisions
  - Fill up, drain, clean or clear any ground, yard or vacant lot
  - Garbage - every dwelling shall have sufficient receptacles
  - Fences and Accessory Buildings – to be kept in a good state of repair and free from fire, health and accident hazards
  - Yards:
    - free and clean from rubbish and other debris
    - free from excessive growth of weeds or grasses

- free from vehicles, boats, trailers, or part of any vehicle, boat or trailer which is inoperative, wrecked, discarded, dismantled, partly dismantled or abandoned condition
- Steps, walkways, driveways and parking spaces and similar area of a yard shall be maintained so as to afford safe passage under normal use and weather conditions
- Drainage and Sewage – shall be disposed of in a manner acceptable to the local health authorities
- Exterior Property Areas shall be maintained to prevent ponding of water creating an unsafe condition
- Structural Standards – the foundation walls, basement, cellar or crawl space floors shall be maintained in good repair, structurally sound and waterproof
- Structural Capability – Building and structural members maintained in a structurally sound condition capable of sustaining its own weight and any additional weight that may be put on it through normal use.
- Materials that are damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- Exterior walls, roof, porch, balcony or landing maintained in good repair and so as to be free from holes, cracks, or other defects
- Windows, roofs, exterior doors and basement or cellar hatchways maintained in good repair so as to prevent the entrance of wind and rain
- Exterior walls and their components maintained so as to prevent their deterioration due to weather and shall be maintained by the painting, restoring or repairing of walls
- Fire and Accident Prevention
  - Unsafe condition on the exterior property area measures shall be taken to abate the unsafe condition
  - Fire or other disaster measures are to be taken to make the damaged building or accessory structure safe
  - If repair is not possible, the land shall be cleared of all remains and left in a graded, level and tidy condition
- Interior Building Components and Systems must be complete and operational
  - Required exits, handrails, guards, fire alarm and detection and fire systems
  - Required exhaust fume barriers, and self-closing devices on doors between an attached or built-in garage and a dwelling unit
  - Water supply, sewage disposal, lighting and heating systems
  - Water systems, building drains and building sewers, and drainage systems and venting systems
- Enforcement
  - Enforcement of the Township's Regulatory By-laws is done on a complaint basis
  - A complaint may be filed with the Township by completing a By-law Complaint Form
  - Upon the finding of a violation under the Township's Property Standard's By-law an Enforcement Officer will issue an Order requiring the owner of the property to comply with the standards and requirements of the By-law.
- Next Steps
  - The public can submit written comments to the Township at [klandry@puslinch.ca](mailto:klandry@puslinch.ca) or in person by June 25, 2019
  - A report will be prepared for Council to consider the adoption of a new property standards by-law at a meeting to be held in Fall 2019

- The report will be available on the Township's website on the Friday before the Council meeting
- Anyone can register as a delegate to speak to the new proposed by-law by completing a submitting a Request to Delegate Form
- All individuals who have left their email address on the sign in sheet will be reminded when this matter comes back to Council

The Chair, requested if there was anyone in attendance that wished to express their views on the proposed property standards by-law.

John Arnold, advised that he finds the by-law invasive and noted the interior standards should not apply to owner occupied buildings.

John Arnold, expressed concern with:

- a by-law officer having this much authority; and
- the ability for anonyms complaints; and
- specific sections of the by-law e.g. storage of firewood, requirements for barns, kitchen backsplash

Karen Landry, noted the Township's enforcement of by-laws is done on a reactive not a proactive basis and that the Township does not have the resources to enforce on a proactive basis. Karen Landry reviewed the Township's complaint policy and noted the name of a complainant is not released.

John Arnold, clarified his concern when he refers to an anonyms complaint being that the owner of the property is not provided with the name of the complainant.

John Sloot, inquired as to why interior standards are being introduced into the by-law.

Karen Landry, explained that as of July 1, 2018 the Township is required to enforce the interior standards set out in Ontario Regulation 517/06 to the Residential Tenancies Act, 2006 or alternatively include interior standards in its property standards by-law.

Karen Landry, explained that if the Township chooses not to include interior standards in its property standards by-law, an appeal by an owner to an order issued by Township enforcement staff under the Residential Tenancies Act would be heard before the Board appointed under that Act and not a Committee appointed by the Township.

Kathy White, advised that she disagreed with the previous comments made and stated the by-law is not heavy handed.

Kathy White, expressed concern with properties that are not maintained and the impact they have on the value of an abutting property.

Kathy White, noted the number of boarded homes, derelict and abandoned vehicles in Morriston and Aberfoyle.

Susan Fielding, indicated that she would like to see enforcement done on a proactive basis in extreme circumstances and provided an example of an individual who had an offer to purchase their property but it did not close because of the property standards issues on a neighboring property.

Karen Landry, noted that several of the provisions contained in the proposed by-law are provisions that exist in the Township's current by-law.



John Arnold, requested a copy of the existing by-laws and noted he would review them and compare them to the proposed by-law. John Arnold after completing his review will submit to the Township where he believes the standards are too high.

Karen Landry, reminded those in attendance to submit their comments in writing, and to sign in and leave their contact information. They will then be advised when this matter comes back before Council.

Karen Landry, CAO/Clerk requested the public in attendance to submit their concerns in writing by June 25, 2019.

**Adjournment:**

The meeting adjourned at 8:00 p.m.